

IN THE UNITED STATES DISTRICT COURT  
FOR THE WESTERN DISTRICT OF NORTH CAROLINA  
CHARLOTTE DIVISION

UNITED STATES OF AMERICA,	)	
Plaintiff,	)	
	)	
v.	)	3:13-CR-116-004-RJC-SCR
	)	(Financial Litigation Unit)
KIMBERLY ARNELL CURETON,	)	
Defendant,	)	
and	)	
	)	
BLYTHE CONSTRUCTION INC.,	)	
Garnishee.	)	

**WRIT OF CONTINUING GARNISHMENT**

TO GARNISHEE: Blythe Construction Inc.  
ATTN: Payroll Department  
1936 Lee Road  
Winter Park, FL 32789

An Application for a Writ of Continuing Garnishment against property of the Defendant, Kimberly Arnell Cureton, has been filed with this Court (Doc. No. 131). A judgment has been entered against the Defendant (Doc. No. 87). The Clerk of Court current total is \$90,341.57, computed through January 2, 2024, and is due and owing.

You, as the Garnishee, are **required by law to answer in writing**, under oath, within ten (10) days of service of this Writ, whether or not you have in your custody, control, or possession any property or funds owned by the Defendant, including non-exempt, disposable earnings.

You **must withhold and retain any property** in which the Defendant has a substantial non-exempt interest and for which you are or may become indebted to the Defendant pending further order of the Court. This means that you should withhold twenty-five percent (25%) of the Defendant's disposable earnings which remain after all deductions required by law have been withheld, or the amount by which the Defendant's disposable earnings for each week exceed thirty (30) times the federal minimum wage, whichever is less. *See* 15 U.S.C. § 1673(a).

Please state whether or not you anticipate paying the Defendant any future payments and whether such payments are weekly, bi-weekly, monthly, annually or bi-annually.

You must file the original written Answer to this Writ within ten (10) days of your receipt of this Writ with the Court:

Clerk of the United States District Court  
401 West Trade Street  
Charlotte, North Carolina 28202

Additionally, you are required by law to serve a copy of the Answer upon the Defendant at the Defendant's last known address:

Kimberly Arnell Cureton  
XXXXXXXXXX  
Rock Hill, South Carolina XXXXX

You are also required to serve a copy of the Answer upon the United States at the following address:

Financial Litigation Unit  
United States Attorney's Office  
227 West Trade Street, Suite 1650  
Charlotte, North Carolina 28202

Under the law, there is property which may be exempt from this Writ of Garnishment. Property which is exempt and which is not subject to this order may be listed on the attached form, entitled "Claim for Exemption."

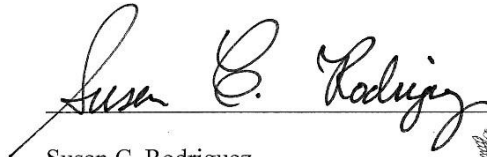
Pursuant to 15 U.S.C. § 1674, you, the Garnishee, are prohibited from discharging the Defendant from employment by reason of the fact that his earnings have been subject to garnishment for any one indebtedness.

Pursuant to 28 U.S.C. § 3205(c)(6), if you fail to answer this Writ or withhold property or funds in accordance with this Writ, the United States may petition the Court for an order requiring you to appear before the Court to answer the Writ and to withhold property before the appearance date. If you fail to appear, or do appear and fail to show good cause why you failed to comply with

this Writ, the Court shall enter a judgment against you for the value of the Defendant's non-exempt interest in such property. The Court may award a reasonable attorney's fee to the United States and against you if the Writ is not answered within the time specified. It is unlawful to pay or deliver to the Defendant any item attached by this Writ.

**SO ORDERED.**

Signed: January 3, 2024

  
Susan C. Rodriguez  
United States Magistrate Judge

